



REC'D TN  
REGULATORY AUTH.

BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, Tennessee 37201-3300

615 214-6301  
Fax 615 214-7406

99 FEB 10 PM 3 43

Guy M. Hicks  
General Counsel

OFFICE OF THE  
February 8, 1999  
EXECUTIVE SECRETARY

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Re: Approval of the Amendment to the Resale Agreement Negotiated by BellSouth Telecommunications, Inc. and Touch 1 Communications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Docket No. ~~98-00818~~

99-00090

Dear Mr. Waddell:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Touch 1 and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and thirteen copies of the attached Petition for Approval of the Amendment to the Resale Agreement dated December 16, 1997. The Amendment modifies the Operational Support Systems (OSS) Rates Table in Exhibit A of the Resale Agreement.

Sincerely yours,

TOUCH 1 COMMUNICATIONS, INC.

BELLSOUTH TELECOMMUNICATIONS, INC.

BY: 

Guy M. Hicks  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300  
Attorney for BellSouth

BY: \_\_\_\_\_  
Clarence Prestwood  
100 Brookwood Road  
P.O. Drawer 10751  
Atmore, AL 36504-5751

02/08/99 16:45

NO. 895 P002/006



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Re: Approval of the Amendment to the Resale Agreement Negotiated by BellSouth Telecommunications, Inc. and Touch 1 Communications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Docket No. 98-00818

Dear Mr. Waddell:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Touch 1 and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and thirteen copies of the attached Petition for Approval of the Amendment to the Resale Agreement dated December 16, 1997. The Amendment modifies the Operational Support Systems (OSS) Rates Table in Exhibit A of the Resale Agreement.

Sincerely yours,

TOUCH 1 COMMUNICATIONS, INC.

BELLSOUTH TELECOMMUNICATIONS, INC.

BY:

A handwritten signature in cursive script, appearing to read "Clarence Prestwood".  
Clarence Prestwood  
100 Brookwood Road  
P.O. Drawer 10751  
Atmore, AL 36504-5751

BY:

A handwritten signature in cursive script, appearing to read "Guy M. Hicks".  
Guy M. Hicks  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300  
Attorney for BellSouth

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee

In re: *Approval of Amendment to the Resale Agreement Negotiated by BellSouth Telecommunications, Inc. and Touch 1 Communications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*

Docket No. 98-00818

**PETITION FOR APPROVAL OF AMENDMENT TO THE RESALE AGREEMENT  
NEGOTIATED BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.  
AND TOUCH 1 COMMUNICATIONS, INC.  
PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

COME NOW, Touch 1 Communications, Inc. ("Touch 1") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Resale Agreement dated December 16, 1997 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, Touch 1 and BellSouth state the following:

1. Touch 1 and BellSouth have successfully negotiated an agreement providing for the resale of BellSouth's telecommunications services to Touch 1. The Resale Agreement was approved by the Tennessee Regulatory Authority ("TRA") on January 19, 1999.
2. The parties have also recently negotiated an amendment to the Resale Agreement modifying the Operational Support Systems (OSS) Rates Table in Exhibit A of the Resale Agreement. A copy of the Amendment is attached hereto and incorporated herein by reference.
3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, Touch 1 and BellSouth are submitting their Amendment to the TRA for its consideration and approval.
4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between Touch 1 and BellSouth within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. Touch 1 and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

Touch 1 and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 9<sup>th</sup> day of February, 1999.

Respectfully submitted,

BELL SOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300  
615/214-6301  
Attorney for BellSouth

TOUCH 1 COMMUNICATIONS, INC.

By: \_\_\_\_\_

Clarence Prestwood  
100 Brookwood Road  
P.O. Drawer 10751  
Atmore, AL 36504-5751

02/08/99 16:45

NO. 895 P004/006

5. Touch 1 and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

Touch 1 and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 9th day of February, 1999.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300  
615/214-6301  
Attorney for BellSouth

TOUCH 1 COMMUNICATIONS, INC.

By: 

Clarence Prestwood  
100 Brookwood Road  
P.O. Drawer 10751  
Atmore, AL 36504-5751

AMENDMENT  
TO  
THE RESALE AGREEMENT BETWEEN  
TOUCH 1 COMMUNICATIONS, INC. AND  
BELLSOUTH TELECOMMUNICATIONS, INC.  
DATED DECEMBER 16, 1997

Pursuant to this Agreement (the "Amendment"), Touch 1 Communications ("Touch 1") and BellSouth Telecommunications, Inc. ("BellSouth") hereinafter referred to as the "Parties", hereby agree to amend the Resale Agreement between the Parties dated December 16, 1997 ("Resale Agreement").

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. The following language shall be included as Section III.T.2 of the Agreement:

All costs incurred by BellSouth to develop and implement operational interfaces shall be recovered from CLECs who utilize the services. Charges for use of Operational Support Systems (OSS) shall be as set forth in Exhibit A of this Agreement.

2. Exhibit A of the Resale Agreement shall be amended to include the Operational Support Systems (OSS) Rate Table attached hereto as Attachment 1 of this Amendment.

3. All of the other provisions of the Resale Agreement shall remain unchanged and in full force and effect.

4. Either or both of the Parties is authorized to submit this Amendment to the appropriate State Public Service Commissions or other Regulatory Agencies for approval subject to Section 252 (e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

**Touch 1 Communications, Inc.**

By:   
Signature

Name: Clarence T. Prestwood  
Printed Name

Title: Vice President

Date: 10-26-95

**BellSouth Telecommunications, Inc.**

By:   
Signature

Name: Jerry Hendrix  
Printed Name

Title: Director

Date: 10-15-98

# Attachment 1

## EXHIBIT A (Amended)

OPERATIONAL SUPPORT SYSTEMS (OSS) RATES				
	Interactive Ordering and Trouble Maintenance System		OSS Order Charge	
	Non-Recurring Establishment Charge	Monthly Recurring Charge	Electronic Per LSR received from the CLEC by one of the OSS interactive interfaces	Manual Per LSR received from the CLEC by means other than one of the OSS interactive interfaces
ALABAMA	\$100.00	\$50.00	\$10.80	\$22.00
FLORIDA	\$100.00	\$50.00	\$10.80	\$22.00
GEORGIA	\$200.00	Per 1,000 electronic LSRs received from the CLEC <sup>1</sup> First 1,000 - \$550.00 Add'l 1,000 - \$110.00	Note <sup>2</sup>	\$22.00
KENTUCKY	\$100.00	\$50.00	\$10.89	\$22.00
LOUISIANA	\$100.00	\$50.00	\$9.16	\$22.00
MISSISSIPPI	\$100.00	\$50.00	\$10.80	\$22.00
NORTH CAROLINA	\$100.00	\$50.00	\$10.80	\$22.00
SOUTH CAROLINA	\$100.00	\$50.00	\$10.80	\$22.00
TENNESSEE	\$100.00	\$50.00	\$10.80	\$22.00

Rates for Operational Support Systems stated above are interim and are subject to modification based upon receipt of a final, non-appealable order by each state's Public Service Commission.

In addition to OSS charges, applicable service order and related charges apply per the tariff.

<sup>1</sup> The Charge per 1,000 LSRs applies on a per CLEC basis.

<sup>2</sup> The Georgia Public Service Commission ("PSC") ordered in Docket 7061 that there would be no OSS charge within the Charge for Electronic Order column. Instead the Georgia PSC ordered monthly recurring charges based on the number of LSRs received from the CLEC.